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RESOLUTIONS OF THE COMMON COUNCIL

OF THE CITY OF SAINT JOHN, N. B.,

RELATING TO A PROPOSED HARBOUR COMMISSION,

REPORTS OF COMMITTEES, AND ACTION THEREON,

From the 1st June, 1874.

PUBLISHED BY ORDER OF THE COMMON COUNCIL.

No. 1.

IN COMMON COUNCIL,
3RD JUNE, A. D. 1874.

On motion of Alderman Lockhart—

Resolved, That a sub-committee of the Harbour Committee be appointed by his Worship the Mayor, to confer with the Committee of the Board of Trade, with reference to placing the Harbour in Commission, and report to the Harbour Committee.

On this resolution the following Committee was appointed :—
The Mayor, *Aldermen* Lockhart, Duffell, Ferguson, Drake.

No. 2.

IN COMMON COUNCIL,
16TH DECEMBER, A. D. 1874.

REPORT OF HARBOUR COMMITTEE.

TO THE COMMON COUNCIL OF THE CITY OF SAINT JOHN.

The Harbour Committee report :

Your Committee have received from the sub-Committee, appointed in Common Council on the third day of June last to consider the subject of a Harbour Commission, a Report, setting forth their agreement with a Committee of the Board of Trade on

the matter referred to them, which report your Committee submit herewith for the consideration of the Common Council.

Your Committee approve the terms and arrangements proposed, on the basis of which it is suggested, that upon a Harbour Commission being organized, the City rights in the harbour properties should be transferred to the Commission.

Your Committee recommend that the Board adopt the report, and the recommendations of the sub-Committee.

Respectfully submitted.

A. CHIPMAN SMITH,
HENRY DUFFELL, W. A. LOCKHART,
JOHN C. FERGUSON, J. B. HAMM.
WM. PETERS,

16th December, 1874.

TO THE HARBOUR COMMITTEE OF THE COMMON COUNCIL.

The Sub-Committee appointed under resolution adopted in Common Council on the third day of June last, to confer with a Committee of the Board of Trade on the subject of organizing a Harbour Commission, and report thereon to the Harbour Committee, submit the following report:

Your Committee have had several meetings with the Committee of the Board of Trade, and after careful consideration of the whole subject are of opinion, that it will be for the best interests of the City of Saint John, that the whole management of the port and harbour of Saint John, shall be vested in a Board of Commissioners.

The principal reasons that have influenced your Committee in arriving at the opinion that a harbour commission is desirable are:

1. That extensive and costly improvements are absolutely required in the harbour to provide for the due accommodation of the shipping at the port of Saint John—improvements that will involve an expenditure far beyond the means of this City Corporation.

2. That under a Commission organized as is proposed, and consisting of a Board appointed by the Dominion Government, the

Common Council and the Board of Trade, a system of harbour improvement can be adopted, and afterwards carried on from year to year without being subject to the changes which would practically be found to impede the prosecution of such public works, if under the management of a committee changing from year to year.

3. That if the harbour is placed under commission, facilities will be afforded by Parliament and the Dominion Government to the Commissioners, in realizing the money for the needed improvements, that would not be extended to the Common Council while the harbour of Saint John remains as it is at present under the Charter the absolute property of the City Corporation, subject only to the public right of navigation.

4. That in transferring to a commission all powers and authorities now vested in the Common Council as conservators of the harbour, the City Corporation are not in any manner limiting or abridging any public right heretofore enjoyed by the inhabitants of the City, but in making the harbour one of the public harbours of the Dominion they are opening greater facilities for the commercial advantage of the port than have been hitherto enjoyed.

5. That the practical working of harbour commissions in other cities of the Dominion, and generally in large maritime towns, as well in Great Britain as in America, has been found to be beneficial to the material prosperity of the localities where such commissions are in operation.

Your Committee being therefore of opinion that a harbour commission is desirable, have conferred with the Committee of the Board of Trade as to the terms upon which the City Corporation should agree, that the necessary legislation may be had to vest all harbour rights in a Board of Commissioners, to be appointed by the Dominion Government, the Common Council, and the Board of Trade.

Your Committee have agreed with the Committee of the Board of Trade to recommend to the Harbour Committee of the Common Council, that the *income* now derived by the City from the various sources of revenue connected with the harbour and harbour properties should be the basis upon which valuation is to be made and accepted for the transfer of the property and privileges to the

Commission. The annual revenues to be taken into consideration are as follows :—

Reed's Point Wharves, ...	$5,025	
Harbour Improvements (buoys), ...	1,200	
Market Wharves and Slips, ...	4,900	
Pettingill Wharves and New Pier, ...	6,420	
Charlotte Street Extension and Breakwater, ...	2,268	
Small Wharves and Slips, east side, ...	730	
Wharves and Slips, west side, ...	849	
Anchorage, ...	3,100	
		$24,492
Fisheries, taking average of 3 years,		
East Side, ...	1,910	
West Side, ...	3,123	
		5,033
Wharf Extension Rents, east side, ...		1,369
Ballast Grounds and Breakwater, beyond revenue above mentioned,		606
		$31,500
Deduct estimated annual cost of repairs to wharves, ...		1,500
		$30,000

Making a total annual income of Thirty Thousand Dollars ($30,000), on the basis of which a sum of Five Hundred Thousand Dollars ($500,000) is to be paid to the City Corporation for the property transferred.

The property and privileges to be transferred are as follows :

All powers and authorities relating to the harbour granted to the City Corporation under the Charter of the City of Saint John, or otherwise, howsoever, reserving rights of ferry.

All Wharves and Slips now owned by the City, with the use of Charlotte Street Extension Wharf, to the same extent as it is now used for wharf purposes, reserving Ferry landings, as now used.

All land owned by the City, covered with water and over which the tide flows, not being laid out as City lots, reserving the right at southern part of the City, on the east side of the harbour, and on Courtenay Bay, as hereinafter set forth.

The Fisheries heretofore enjoyed under the Charter and Acts of Assembly relating thereto.

All that land known as the "Ballast Grounds," and lying south of the Breakwater Wharf, and west of the extension of the west side line of Charlotte Street—such land to be used as ballast grounds, and to be kept open and unincumbered, except as may be

necessay for the convenience of trade in loading and discharging vessels.

Reserving the shore, flats and land, covered and uncovered with water, within the bounds hereafter described, namely—"the west side line of Charlotte Street, prolonged to a point twelve hundred feet southerly from the south side line of Sheffield Street, thence at right angles easterly along a line parallel to Sheffield Street, and at twelve hundred feet distance therefrom, until it strikes a point on the line of the extension southerly of the east side line of Crown Street; thence northeasterly at an angle until it strikes a point on the flats in Courtenay Bay, distant eleven hundred feet, at right angles from the east side line of Crown Street, and its intersection with Sheffield Street; thence northerly along the flats on Courtenay Bay, on a line parallel to the east side line of Crown Street, and eleven hundred feet distant therefrom, until it strikes the line of the extension easterly of the north side line of Union Street, as shown by red line on the plan submitted herewith."

Your Committee recommend, that in case of this agreement being carried out, the moneys realized by this transfer of property and privileges to the Harbour Commission be appropriated as follows:—1st, in securing the moneys borrowed under Acts of Assembly, and charged on issue of debentures upon the revenues of the properties respectively; and any balance of moneys remaining, in reduction of the old public funded debt as settled by Act of Assembly.

Your Committee therefore recommend that the Harbour Committee adopt the action and agreement of this sub-committee, and approve the transfer to a Harbour Commission on the above terms, and recommend the same to the Common Council.

Respectfully submitted.

A. CHIPMAN SMITH, MAYOR.
HENRY DUFFELL,
JOHN C. FERGUSON,
W. A. LOCKHART.

Saint John, N. B., 24th November, 1874.

Read report of the Harbour Committee; also report of sub-Harbour Committee, recommending Harbour Commission.

Moved by Alderman Ferguson, seconded by Alderman Lockhart:

That the report be received and adopted, and the recommendations carried out.

Moved in amendment by Alderman Drake, seconded by Alderman Russell—and

Resolved, That the Report be referred back to the Harbour Committee, and the terms of the Report of the sub-Committee printed for the information of the members of the Board.

No. 3.

IN COMMON COUNCIL,
20TH JANUARY, 1875.

Extract from Report of the Harbour Committee to the Common Council:

SECTION 2.—"Your Committee have had under consideration the report of the sub-Committee relating to the Harbour Commission referred to them, and finding that the terms proposed are not in all respects approved by the whole Committee, they recommend that the Board affirm the principle, that it is advisable that the Harbour be placed under Commission, provided the details can be made satisfactory to and approved by the Board.

"A. CHIPMAN SMITH, MAYOR,
JOHN KERR, H. DUFFELL,
JOHN C. FERGUSON, W. A. LOCKHART,
WM. PETERS."

On the above section being read—

Moved by Alderman Lockhart—

That this section be adopted.

Moved in amendment by Alderman Duffell—

That this section be referred to a Committee, to reconsider the whole question, and report to the Board.

Moved in amendment to the amendment by Alderman Ferguson:

Whereas in the opinion of this Board a Harbour Commission is desirable, and whereas the details of the scheme submitted are not

in all respects satisfactory; therefore *Resolved*, that the last section of the report of the Harbour Committee be referred to the general Committee of the whole Board, to report a finished scheme at the next meeting of the Council.

Question being taken on the amendment to the amendment, it is lost.

Question being taken on the amendment, it is carried.

Names being called, there appeared for the amendment—

Aldermen Duffell, Drake, McCordock; *Councillors* Robinson Coxetter, Quinton, Hamm, Martin, Clark.

Against the amendment—

Aldermen Melick, Lockhart, Kerr, Ferguson, Peters; *Councillors* Stockton, Cassidy.

Wherupon *Resolved*, That the section of the report be referred to a Special Committee, to reconsider the whole question, and report to the Board.

The Mayor appoints the General Committee of the whole Board.

No. 4.

IN COMMON COUNCIL,
17TH MARCH, 1875.

Read Report of the General Committee on Harbour Commission, as follows:—

TO THE COMMON COUNCIL OF THE CITY OF SAINT JOHN:

The General Committee to whom was referred the subject of organizing a Harbour Commission, submit the following Report:

Your Committee after careful consideration of the whole subject, are of opinion that it will be for the best interests of the City of Saint John, that the whole management of the port and harbour of Saint John shall be vested in a Board of Commissioners.

The principal reasons that have influenced your Committee in arriving at the opinion that a harbour commission is desirable, are:—

1. That extensive and costly improvements are absolutely required in the harbour to provide for the due accommodation of the

shipping at the port of Saint John—improvements that will involve an expenditure far beyond the means of this City Corporation.

2. That under a Commission organized as is proposed, and consisting of a Board appointed by the Dominion Government, the Common Council and the Board of Trade, a system of harbour improvement can be adopted, and afterwards carried on from year to year without being subject to the changes which would practically be found to impede the prosecution of such public works, if under the management of a committee changing from year to year.

3. That if the harbour is placed under commission, facilities will be afforded by Parliament and the Dominion Government to the Commissioners, in realizing the moneys for the needed improvements, that would not be extended to the Common Council while the harbour of Saint John remains as it is at present under the charter, the absolute property of the City Corporation, subject only to the public right of navigation.

4. That in transferring to a commission all powers and authorities now vested in the Common Council as conservators of the harbour, the City Corporation are not in any manner limiting or abridging any public right heretofore enjoyed by the inhabitants of the City, but in making the harbour one of the public harbours of the Dominion they are opening greater facilities for the commercial advantage of the port than have been hitherto enjoyed.

5. That the practical working of harbour commissions in other cities of the Dominion, and generally in large maritime towns, as well in Great Britain as in America, has been found to be beneficial to the material prosperity of the localities where such commissions are in operation.

Your Committee being therefore of opinion that a harbour commission is desirable, have considered the terms upon which the City Corporation should agree, that the necessary legislation may be had to vest all harbour rights in a Board of Commissioners, to be appointed by the Dominion Government, the Common Council, and the Board of Trade.

Your Committee recommend to the Common Council that the

income now derived by the City from the various sources of Revenue connected with the harbour, and income valuation placed on harbour properties, should be the basis upon which valuation is to be made and accepted for the transfer of the property and privileges to the commission, The annual revenues to be taken into consideration, are as follows :—

ON THE EAST SIDE.

Reed's Point Wharves, ...	$5,025	
Harbour Improvements (buoys), ...	1,200	
Market Wharves and Slips, ...	4,900	
Pettingill Wharves and New Pier, ...	6,420	
Charlotte Street Extension and Breakwater, ...	2,268	
Small Wharves and Slips (East Side), ...	730	
Anchorage, ...	3,100	
Fisheries (East Side), three years average, ...	1,910	
Wharf Extension Rents, ...	1,369	
Ballast Grounds and Breakwater, beyond Revenues above mentioned, ...	1,975	
		$28,897

ON THE WEST SIDE.

Small Wharves and Slips, West Side, ...	$849	
Rodney Wharves and Slip, ...	715	
Fisheries, West Side, ...	3,123	
Water Lots on West Side, and Flats to the southward of Sand Point, ...	1,200	
		5,947
		$34,844
Deduct estimated annual cost of repairs to wharves, ...		1,500
		$33,344

Making a total annual income on the basis of which a sum of $456,533 is to be paid for property for the East Side, and a sum of $99,200 for property on the West Side—being the whole sum of $555,733 to be paid to the City Corporation for the property and privileges transferred.

The property and privileges so to be transferred, are as follows :

All powers and authorities relating to the harbour granted to the City Corporation under the Charter of the City of Saint John, or otherwise howsoever, reserving rights of ferry.

All Wharves and Slips now owned by the City, with the use of Charlotte Street Extension Wharf, to the same extent as it is now used for wharf purposes, reserving Ferry landings, as now used ; also reserving the Fish Market Wharf to low water mark, and

buildings at the west end of Duke Street, and the Sydney Market Wharf and buildings in Sidney Ward.

All land owned by the City, covered with water and over which the tide flows, not being laid out as City lots, reserving the right at southern part of the City, on the east side of the harbour, and on Courtenay Bay, and upon the flats to the southward of Sand Point at Carleton, as hereinafter set forth.

The Commission to hold the wharves and roadways subject to obligations to keep the same in repair, and also subject to existing covenants that bind the City relating to any such wharves.

The Fisheries heretofore enjoyed under the Charter and Acts of Assembly relating thereto.

All that land known as the "Ballast Grounds," and lying south of the Breakwater Wharf, and west of the extension of the west side line of Charlotte Street—such land to be used as ballast grounds, and to be kept open and unincumbered, except as may be necessary for the convenience of trade in loading and discharging vessels.

Reserving the shore, flats and land, covered and uncovered with water, within the bounds hereafter described, namely—"the west side line of Charlotte Street, prolonged to a point twelve hundred feet southerly from the south side line of Sheffield Street, thence at right angles easterly along a line parallel to Sheffield Street, and at twelve hundred feet distance therefrom, until it strikes a point on the line of the extension southerly of the east side line of Crown Street; thence northeasterly at an angle until it strikes a point on the flats in Courtenay Bay, distant eleven hundred feet, at right angles from the east side line of Crown Street, at its intersection with Sheffield Street; thence northerly along the flats on Courtenay Bay, on a line parallel to the east side line of Crown Street, and eleven hundred feet distant therefrom, until it strikes the line of the extension easterly of the north side line of Union Street, as shown by red line on the plan submitted herewith, marked A.," —on the Eastern side of the harbour.

Also reserving the shore, flats and land, covered and uncovered with water at Carleton on the western side of the harbour, being part of the common lands of said West Side, not laid out in City lots within and to the northward of the bounds hereinafter described, that is to say:—"Beginning at a point on the easterly

"side of the prolongation southerly of Lancaster Street five hun-
"dred and twenty feet to the southward of the south side line of
"Bond Street, thence at right angles parallel to Bond Street,
"eleven hundred and twenty feet easterly or until it strikes the
"extension southerly of the east side line of Ludlow Street, thence
"along said extension of the east side line of Ludlow Street north-
"erly until it strikes a prolongation easterly of the south side line
"of Bond Street, thence on said prolongation of Bond Street east-
"erly until it strikes an extension southerly of the east side line
"of Union Street, thence on said extension of the east side line of
"Union Street northerly to Suffolk Street, as shewn within the
"red line hereto annexed, marked B."

Your Committee recommend, that in case of this agreement being carried out, that the moneys realized by this transfer of property and privileges to the Harbour Commission be appropriated as follows: 1st, in securing the moneys borrowed under Acts of Assembly, and charged on issue of debentures upon the revenues of the properties respectively; and any balance of moneys remaining, in reduction of the old public funded debt as settled by Act of Assembly.

Your Committee therefore recommend that the Common Council approve the transfer to a Harbour Commission on the above terms, and take such action as may be required to carry these recommendations into effect.

Respectfully submitted.

A. CHIPMAN SMITH, Mayor,

JOHN C. FERGUSON,	WILLIAM PETERS,
HENRY DUFFELL,	EDWARD J. RUSSELL,
W. A. QUINTON,	J. B. HAMM,
JOHN KERR,	W. A. LOCKHART,
SAMUEL CLARK,	RICHARD CASSIDY,
R. O. STOCKTON,	SAMUEL BRITTAIN,
WILLIAM NANNARY,	GEO. H. MARTIN,
JOHN MELICK.	

Saint John, N. B., 17th March, A. D., 1875.

On motion of Alderman Ferguson—

Ordered, That the report be received and adopted, and the several recommendations carried out.

Councillor Coxetter alone objecting.

The General Committee are authorized to take such action as may be necessary.

No. 5.

MAYOR'S OFFICE,
22ND MARCH, 1875.

At a meeting of the General Committee of the Common Council. Present:

The Mayor, Chairman.

Aldermen—Ferguson, Duffell, Melick, Peters, Kerr.

Councillors — Nannary, Clark, Martin, Quinton, Cassidy, Coxetter, Stockton, Hamm.

The Mayor explains the object of the meeting to be to consider the action to be taken upon the Report of the General Committee adopted at the last meeting of the Council, relating to a Harbor Commission, and whether or not it is advisable to apply to the Legislature for an Act to enable the Corporation to carry out the terms of the Report. That the Session of the Legislature will soon close, and if anything is to be done it should be done immediately.

On motion of Alderman Kerr—

Resolved, That a Bill prepared to be submitted to the Legislature be now read.

Bill read as follows:

DRAFT.

A Bill to authorize the City Corporation of the City of Saint John to transfer certain harbor property and privileges to a Harbour Commission.

Whereas, The Common Council of Saint John did, by a resolution passed on the seventeenth day of March, in the year of our Lord one thousand eight hundred and seventy-five, adopt and approve of the Report of the General Committee of the Board submitted on that day for their consideration, which report is as follows:—

TO THE COMMON COUNCIL OF THE CITY OF SAINT JOHN.

The General Committee to whom was referred the subject of organizing a Harbour Commission, submit the following Report:

Your Committee after careful consideration of the whole subject, are of opinion, that it will be for the best interests of the City of Saint John, that the whole management of the port and harbour of Saint John shall be vested in a Board of Commissioners.

The principal reasons that have influenced your Committee in arriving at the opinion that a Harbour Commission is desirable are :

1. That extensive and costly improvements are absolutely required in the harbour to provide for the due accommodation of the shipping at the port of Saint John—improvements that will involve an expenditure far beyond the means of this City Corporation.

2. That under a Commission organized as is proposed, and consisting of a Board appointed by the Dominion Government, the Common Council and the Board of Trade, a system of harbour improvement can be adopted, and afterwards carried on from year to year without being subject to the changes which would practically be found to impede the prosecution of such public works, if under the management of a committee changing from year to year.

3. That if the harbour is placed under commission, facilities will be afforded by Parliament and the Dominion Government to the Commissioners, in realizing the moneys for the needed improvements, that would not be extended to the Common Council while the harbour of Saint John remains as it is at present under the charter, the absolute property of the City Corporation, subject only to the public right of navigation.

4. That in transferring to a commission all powers and authorities now vested in the Common Council as conservators of the harbour, the City Corporation are not in any manner limiting or abridging any public right heretofore enjoyed by the inhabitants of the City, but in making the harbour one of the public harbours of the Dominion they are opening greater facilities for the commercial advantage of the port than have been hitherto enjoyed.

5. That the practical working of harbour commissions in other cities of the Dominion, and generally in large maritime towns, as well in Great Britain as in America, has been found to be beneficial to the material prosperity of the localities where such commissions are in operation.

Your Committee being therefore of opinion that a harbour commission is desirable, have considered the terms upon which the City Corporation should agree, that the necessary legislation may be had to vest all harbour rights in a Board of Commissioners, to be

appointed by the Dominion Government, the Common Council, and the Board of Trade.

Your Committee recommend to the Common Council that the *income* now derived by the City from the various sources of revenue connected with the harbour, and income valuation placed on harbour properties, should be the basis upon which valuation is to be made and accepted for the transfer of the property and privileges to the Commission. The annual revenues to be taken into consideration are as follows :—

ON THE EAST SIDE.

Reed's Point Wharves, ...	$5,025	
Harbour Improvements (buoys), ...	1,200	
Market Wharves and Slips, ...	4,900	
Pettingill Wharves and New Pier, ...	6,420	
Charlotte Street Extension and Breakwater, ...	2,268	
Small Wharves and Slips, east side, ...	730	
Anchorage, ...	3,100	
Fisheries, (East Side) three years average, ...	1,910	
Wharf Extension Rents, ...	1,369	
Ballast Grounds and Breakwater, beyond revenues above mentioned, ...	1,975	
		$28,897

ON THE WEST SIDE.

Small Wharves and Slips, west side, ...	$849	
Rodney Wharves and Slip, ...	715	
Fisheries, west side, ...	3,123	
Water Lots on west side, and Flats to the southward of Sand Point, ...	1,260	
		5,947
		$34,844
Deduct estimated annual cost of repairs to wharves, ...		1,500
		$33,344

Making a total annual income on the basis of which a sum of $456,533 is to be paid for property for the East Side, and a sum of $99,200 for property on the West Side—being the whole sum of $555,733 to be paid to the City Corporation for the property and privileges transferred.

The property and privileges so to be transferred are as follows :

All powers and authorities relating to the harbour granted to the City Corporation under the Charter of the City of Saint John, or otherwise howsoever, reserving rights of ferry.

All Wharves and Slips now owned by the City, with the use of Charlotte Street Extension Wharf, to the same extent as it is now

used for wharf purposes, reserving ferry landings, as now used; also reserving the Fish Market Wharf to low water mark, and buildings at the west end of Duke Street, and the Sidney Market Wharf and buildings in Sidney Ward.

All land owned by the City, covered with water and over which the tide flows, not being laid out as City lots, reserving the right at southern part of the city, on the east side of the harbour, and on Courtenay Bay, and upon the flats to the southward of Sand Point at Carleton, as hereinafter set forth.

The Commission to hold the wharves and roadways subject to obligations to keep the same in repair, and also subject to existing covenants that bind the City relating to any such wharves.

The Fisheries heretofore enjoyed under the Charter and Acts of Assembly relating thereto.

All that land known as the "Ballast Grounds," and lying south of the Breakwater Wharf, and west of the extension of the west side line of Charlotte Street—such land to be used as ballast grounds, and to be kept open and unincumbered, except as may be necessary for the convenience of trade in loading and discharging vessels.

Reserving the shore, flats and land, covered and uncovered with water, within the bounds hereafter described, namely—"the west side line of Charlotte Street, prolonged to a point twelve hundred feet southerly from the south side line of Sheffield Street, thence at right angles easterly along a line parallel to Sheffield street, and at twelve hundred feet distance therefrom, until it strikes a point on the line of the extension southerly of the east side line of Crown street; thence northeasterly at an angle until it strikes a point on the flats in Courtenay Bay, distant eleven hundred feet, at right angles from the east side line of Crown street, at its intersection with Sheffield street; thence northerly along the flats on Courtenay Bay, on a line parallel to the east side line of Crown street, and eleven hundred feet distant therefrom, until it strikes the line of the extension easterly of the north side line of Union street, as shewn by red line on the plan submitted herewith, marked A.," on the Eastern Side of the Harbour.

Also reserving the shore, flats, and land covered and uncovered with water at Carleton on the western side of the harbour, being

part of the common lands of said West side, not laid out in City lots within and to the northward of the bounds hereinafter described, that is to say :—" Beginning at a point on the easterly side " of the prolongation southerly of Lancaster street five hundred " and twenty feet to the southward of the south side line of Bond " street, thence at right angles parallel to Bond street, eleven hun- " dred and twenty feet easterly or until it strikes the extension " southerly of the east side line of Ludlow street, thence along " said extension of the east side line of Ludlow street northerly " until it strikes a prolongation easterly of the south side line of " Bond street, thence on said prolongation of Bond street easterly " until it strikes an extension southerly of the east side line of " Union Street, thence on said extension of the east side line of " Union street northerly to Suffolk street, as shewn within the " red line hereto annexed, marked B."

Your Committee recommend, that in case of this agreement being carried out, that the moneys realized by this transfer of property and privileges to the Harbour Commission be appropriated as follows : — 1st, in securing the moneys borrowed under Acts of Assembly, and charged on issue of debentures upon the revenues of the properties respectively ; and any balance of moneys remaining, in reduction of the old public funded debt as settled by Act of Assembly.

Your Committee therefore recommend that the Common Council approve the transfer to a Harbour Commission on the above terms, and take such action as may be required to carry these recommendations into effect.

Respectfully submitted.

A. CHIPMAN SMITH, MAYOR,

JOHN C. FERGUSON,	WILLIAM PETERS,
HENRY DUFFELL,	EDWARD J. RUSSELL,
W. A. QUINTON,	J. B. HAMM,
JOHN KERR,	W. A. LOCKHART,
SAMUEL CLARK,	RICHARD CASSIDY,
R. O. STOCKTON,	SAMUEL BRITTAIN,
WILLIAM NANNARY,	GEO. H. MARTIN,
JOHN MELICK.	

And Whereas, it is desirable that the Mayor, Aldermen, and Commonalty of the City of Saint John, should be authorized and

empowered to convey and transfer absolutely the harbour property and privileges to commissioners who may be duly appointed to constitute a Harbour Commission for the port and harbour of Saint John, upon such terms as may be agreed upon and determined by the Common Council of the City of Saint John, as hereinafter mentioned.

Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, as follows:—

1. Notwithstanding anything contained in an Act of the General Assembly of this Province, passed in the ninth year of the reign of Her present Majesty, intituled "An Act relating to the public debt of the Corporation of the City of Saint John," and notwithstanding anything contained in an Act of the General Assembly of this Province, passed in the sixteenth year of the reign of Her present Majesty, intituled "An Act relating to the public debt of the City of Saint John," or in the Trust Deed referred to and mentioned in the eighth section of said last mentioned Act, and notwithstanding anything contained in any other Act or Acts, existing and in force, relating to the public debt of the said city, the Mayor, Aldermen and Commonalty of the City of Saint John, may contract and agree for the transfer, to Commissioners to be duly appointed to constitute and form a Board of Harbour Commissioners for the port and harbor of Saint John, of all such property and privileges as the said Mayor, Aldermen and Commonalty of the City of Saint John in Common Council may hereafter agree to transfer to such Harbour Commissioners, provided that at least two-thirds of the members of the Common Council do concur in and agree thereto.

2. It shall and may be lawful for the Mayor, Aldermen and Commonalty of the City of Saint John, and they are hereby authorized and empowered by deed under their common corporate seal, for the consideration to be expressed in the said deed, and to be paid and secured as they may agree, to grant, bargain, sell convey and assure to the Board of Commissioners, to be duly appointed as the Corporation of the Harbour Commissioners of Saint John, or by such corporate name as such Harbour Commission may be created, all the right, title and interest of the said Mayor, Aldermen and Commonalty of the City of Saint John, as well by

the charter of the City of Saint John, as by any Act and Acts of Assembly relating thereto and otherwise howsoever, of in and to the Harbour of Saint John, within the City of Saint John, and of in and to the land, water, and land covered with water, wharves, tenements, and hereditments, within the bounds to be particularly set forth by apt description and boundaries in the said deed; and upon the due execution and delivery of any and every such deed, all the real estate, rights, powers, and privileges, and hereditaments, corporeal and incorporeal, expressed to be conveyed thereby, shall absolutely vest in the corporation of the Harbour Commissioners of Saint John, by such corporate name as the said Harbour Commissioners may be created, and they shall thereupon have, hold, and enjoy the same, and every part thereof, absolutely freed from any and every charge relating to the public debt of the City of Saint John, and from the provisions of the said Trust Deed in the last section mentioned, and from all existing charges on the said property, premises and privileges, except as may be expressed and reserved in the said deed and deeds.

3. All moneys, and securities for money, paid and secured as the consideration for the said property and privileges, hereinbefore mentioned and transferred under the authority of this Act, shall be paid to and received by the Chamberlain of the City of Saint John, and shall be by him appropriated and applied and invested in manner and for the purposes following, that is to say: First, in paying and securing the interest and principal of the debentures that have been from time to time issued under authority of law, and were secured upon special wharves and properties transferred to the Harbour Commissioners, and each fund to protect such debentures shall be kept in separate fund for that purpose, and shall not be paid or applied to any other purpose whatsoever, and then all moneys and securities remaining, and not so applicable, shall be paid and applied in reduction of, and so far as the same will extend, in paying and securing the old public funded debt of the said city and any part thereof, as settled by law, between the east and west sides of the harbour respectively, the moneys received for east side properties being applied to that portion of the said public debt charged upon that part of the city lying on the

eastern side of the harbour; and the moneys received for west side properties being applied to that portion of the said public debt charged upon that part of the city lying on the western side of the harbour.

On motion of Alderman Peters—

Resolved, That the Bill as read be approved, and adopted, and placed before the Legislature now in session, and that petitions under the Common Seal be forwarded to the several branches of the Local Legislature praying that the Bill may be enacted.

Councillor Coxetter objecting.

IN COMMON COUNCIL,
12TH JANUARY, A. D. 1876.

Moved by Alderman Glasgow—

WHEREAS the present members of Kings, Brooks and Albert Wards did not occupy seats at the Common Council during the time the question was under discussion of placing the Harbour of Saint John in Commission, therefore it cannot he expected they are fully acquainted with all the details of the scheme, and are desirous of receiving all the information on this important subject, therefore

Resolved, That all resolutions of the Common Council, appointing Harbour, Special, and General Committees, or the sub-Committees appointed to deal with the above subject, together with all reports connected with the same, which have been submitted to the Common Council from the 1st of June, 1874, to the 1st of April, 1875; and all resolutions, and by whom made, adopting, amending, or rejecting the same, be published in pamphlet form, and two copies of such report be furnished to each member of the Common Council within twelve days.

And further Resolved, That the City Engineer be authorized to prepare and furnish the Common Council, at its first meeting after the 24th instant, copies of Plans submitted to this Board by the General Committee on the 17th day of March last.

Question being taken, the motion is carried.

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